

MONTANA SENATE  
2007 LEGISLATURE

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY

DATE 1-12-06

NAMES	PRESENT	ABSENT	EXCUSED
SEN. JOHN COBB (R)			✓
SEN. JOHN ESP (R)	✓		
SEN. KIM GILLAN (D)			✓
SEN. LYNDA MOSS (D)	✓		
SEN. TERRY MURPHY (R)	✓		
SEN. JERRY O'NEIL (R)			✓
SEN. TRUDI SCHMIDT (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		
SEN. DAN WEINBERG(D) CHAIR	✓		
LISA JACKSON (LSD)	✓		
PRUDENCE GILDROY, SECRETARY	✓		



## SENATE STANDING COMMITTEE REPORT

January 15, 2007

Page 1 of 1

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 83**  
(first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Dan Weinberg*  
Senator Dan Weinberg, Chair

**And, that such amendments read:**

1. Page 2, line 16.

**Strike:** "by the department, is"

**Insert:** "and"

2. Page 2, line 17.

**Following:** "court"

**Strike:** "L"

3. Page 2, line 17.

**Following:** "who"

**Insert:** "who"

- END -

**Committee Vote:**

**Yes 8, No 0**

**Fiscal Note Required** \_\_\_\_\_

*12/17*

090805SC.ssc

## SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f ) , a committee member may vote by proxy using a standard form.

### PROXY VOTE

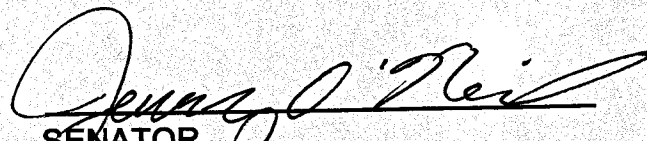
I, the undersigned, hereby authorize Senator Esp

to vote my proxy on any issue before the Senate Public Health

\_\_\_\_\_ Committee

held on January 12, 2007.

Amendment Age  
83 Age

  
SENATOR  
STATE OF MONTANA

## SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f ) , a committee member may vote by proxy using a standard form.

### PROXY VOTE

I, the undersigned, hereby authorize Senator CS

to vote my proxy on any issue before the Senate Public Health

\_\_\_\_\_ Committee

held on \_\_\_\_\_, 2007.

Amendment to SB 83  
SB 83 as amended Age

[Signature]  
SENATOR  
STATE OF MONTANA

**MONTANA STATE SENATE  
2007 LEGISLATURE**

**VISITOR REGISTER**

**PUBLIC HEALTH, WELFARE, AND SAFETY**

DATE 1-12-07

BILLS BEING HEARD TODAY SB 95 SB 45

0

**PLEASE PRINT**

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Tom Harwell	444-1437	DPHHS	SB 95	✓	
Lucy Thompson		DPHHS	SB 45		
John Sample	443-7487	MT Fire Alliance	SB 95	✓	
Jim DeTienne	444-4460	MT DPHHS	SB 95	✓	
Elaine Bruce	457-7326	Rocky Mtn Development	SB 95	✓	
Jani McCall	670-3084	Billings Clinic	SB 45 95	✓	
Gene Haire	444-5278	MD Board of Visitors	SB 45		
Debbie Russell	444-2213	DOZ / DPHHS	SB 45		
MARY Protheroe	443-6281	CSAA	SB 45	✓	
Anita Reimann	449-2344	MHP	SB 45	✓	
Joe Feyrer		IBEW	SB 95	✓	
Joyce DeCunzio	444-3969	DPHHS	SB 45	✓	
Kathy McFarlan	443-7570	MT Cncl CMHC, MSNDA	"	✓	
Gary Viper	868-9177	MT Ebc. Co ops	SB 95	✓	
Curt Christman	442-3911	NAMI / RTDC	SB 45	✓	
Al Smith	439-3124	MT LA	SB 95		
Ryan Clench	458-5515	UMH Fire Fighters	SB 95	✓	
Beda Lovitt	431-4937	MPA	SB 45	✓	
Tim Myers	880-7629	UofM MSW	SB 45	✓	

**PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY**

Date 1-12-07

## INTERNATIONAL BUILDING CODE 2003

Section 308  
Institutional Group I

**308.1 Institutional Group I.** Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which people are cared for or live in a supervised environment, having physical limitations because of health or age are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institution occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

**308.2 Group I-1.** This occupancy shall include buildings, structures or parts thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not limited to, the following:

- Residential board and care facilities
- Assisted living facilities
- Halfway houses
- Group homes
- Congregate care facilities
- Social rehabilitation facilities
- Alcohol and drug centers
- Convalescent facilities

A facility such as the above with five or fewer persons shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2. A facility such as above, housing at least six and not more than 16 persons, shall be classified as Group R-4.

**308.3 Group I-2.** This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care on a 24-hour basis of more than five persons who are not capable of self-preservation. This group shall include, but not limited to, the following:

- Hospitals
- Nursing homes (both intermediate-care facilities and skilled nursing facilities)
- Mental hospitals
- Detoxification facilities

A facility such as the above with five or fewer persons shall be classified as Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2.

**308.3.1 Child care facility.** A child care facility that provides care on a 24-hour basis to more than five children 2½ years of age or less shall be classified as Group I-2.

**308.4 Group I-3.** This occupancy shall include buildings and structures that are inhabited by more than five persons who are under restraint or security. An I-3 facility is occupied by persons who are generally incapable of self-preservation due to security measures not under the occupants' control. This group shall include, but not be limited to, the following:

- Prisons
- Jails
- Reformatories
- Detention centers
- Correctional centers
- Prerelease centers

Buildings of Group I-3 shall be classified as one of the occupancy conditions indicated in Sections 308.4.1 through 308.4.5 (see Section 408.1).

**308.4.1 Condition 1.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas, and other space where access or occupancy is permitted, to the exterior via means of egress without restraint. A Condition 1 facility is permitted to be constructed as Group R.

**308.4.2 Condition 2.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and any other occupied smoke compartment to or more other smoke compartments. Egress to the exterior is impeded by locked exits.

**308.4.3 Condition 3.** This occupancy condition shall include buildings in which free movement is allowed within individual smoke compartments, such as within a residential unit comprised of individual sleeping units and group activity spaces, where egress is impeded by remote-controlled release of means of egress from such a smoke compartment to another smoke compartment.

**308.4.4 Condition 4.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from sleeping units,

activity spaces and other occupied areas within the smoke compartment to other smoke compartments.

**308.4.5 Condition 5.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from sleeping units, activity spaces and other occupied areas within the smoke compartment to other smoke compartments.

**308.5 Group I-4, day care facilities.** This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person care for. A facility such as the above with five or fewer persons shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2. Places of worship during religious functions are not included.